

U.S. Patent Application Serial No. 09/893,522
Amendment dated May 7, 2004
Reply to OA of February 9, 2004

REMARKS

Claims 1-4, 7, 8, 15, and 16 are currently being examined, of which claims 2 and 4 have been amended. Claims 5, 6, 9-14, and 17-22 have been withdrawn from consideration. No new claims have been added. It is respectfully believed that no new matter has been added.

Claims 2, 4, 7, 8, and 15 stand objected to as being dependent upon a rejected base claim. The Examiner has indicated that these claims would be allowable if rewritten in independent form including the limitations of the base claims and intervening claims. Claims 2 and 4 have been rewritten in independent form including features of the base claim. Thus, it is respectfully submitted that the objection to claims 2, 4, 7, 8, and 15 be withdrawn.

Before turning to the cited art, a brief review of the present invention is in order. The present invention relates to a fluid control device wherein a plurality of lines each comprise a plurality of fluid controllers arranged at an upper level and a plurality of coupling members arranged at a lower level, **the plurality of lines being arranged in parallel on a base member and having inlets directed in the same direction, with outlets thereof facing toward the same direction**, the fluid control device being characterized in that each line is mounted on a line support member, the line support member being mounted on the base member and slidable in a direction orthogonal to the line.

A.

Claims 1 and 16/1 stand rejected under 35 USC 102(e) as anticipated by USP 6,394,138 (Vu '138).

Applicants respectfully traverse this rejection.

Firstly, Vu '138 shows a central manifold body portion 12, flange 14, fastener 31, and lower support surface 7 (FIG. 1). FIG. 12 shows only a **single line of components** including valve 250 and regulator 254. In view of the foregoing, Vu '138 does not expressly or inherently describe the following features of claim 1: "A fluid control device wherein a **plurality of lines** each comprise a plurality of fluid controllers", in combination with the other claimed features.

Secondly, Vu '138 does not expressly or inherently describe the following features of claim 1: "A fluid control device ... , the **plurality of lines** being arranged in parallel on a base member and having **inlets directed in the same direction**, with **outlets thereof facing toward the same direction**", in combination with the other claimed features.

Thirdly, Vu '138 does not expressly or inherently describe the following features of claim 1: "the fluid control device being characterized in that each line is mounted on a line support member, the line support member being mounted on the base member and slidable in a direction

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orthogonal to the line”, in combination with the other claimed features.

Furthermore, **Vu ‘138** fails to describe, teach, or suggest the above-described features of claim 1, in combination with the other claimed features.

Thus, it is respectfully submitted that this 35 USC 102(e) rejection of claims 1 and 16/1 should be withdrawn.

B.

Claims 3 and 16/3 stand rejected under 35 USC 102(b) as anticipated by USP 6,502,601 (**Eidsmore ‘601**).

Applicants respectfully traverse this rejection.

Firstly, Applicants respectfully submit that **Eidsmore ‘601** is not available to be applied as prior art against claims of the present invention pursuant to 35 USC 102(b). **Eidsmore ‘601** issued on January 7, 2003, and the present application was filed June 29, 2001 in the United States. Thus, the issue date of **Eidsmore ‘601**, January 7, 2003, is not more than one year prior to the U.S. filing date of the present application, June 29, 2001. Additionally, even the Publication No. 2002/0134445A1 (**Eidsmore ‘445**), published September 26, 2002, does not

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support a rejection under 35 USC 102(b) here.

Secondly, the Examiner has suggested that elements 40 of **Eidsmore '601** are read as “tracks”, and also suggested that fittings (flow bridges) 50 are read as “slidable coupling members”.

However, we disagree with the Examiner because the bridge fittings (flow bridges) 50 are “placed” within the channel 42 of the backing plate 40 (col. 6, lines 54-59; col. 8, lines 34-36), and the bridge fittings 50 are not described as being slidably mounted.

Therefore, **Eidsmore '601** fails to expressly or inherently describe the following features of claim 3: “the coupling members being **slidably mounted** on the corresponding track” in combination with the other claimed features.

Thirdly, in **Eidsmore '601**, fluid components 12-14 are secured to plate 30 using fasteners 22 (col. 6, lines 64-65), and the components 12-14 are not each mounted on **two** fittings 50. In view of the foregoing, **Eidsmore '601** fails to expressly or inherently describe the following features of claim 3: “each of the fluid controllers being mounted on **two** of the coupling members” in combination with the other claimed features.

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Furthermore, **Eidsmore '601** fails to describe, teach, or suggest the above-described features of claim 3, in combination with the other claimed features.

Thus, it is respectfully submitted that this 35 USC 102(b) rejection of claims 3 and 16/3 should be withdrawn.

It is respectfully submitted that **Vu '138** and **Eidsmore '601**, taken alone or in combination, fail to describe, teach, or suggest the above-discussed features of claims 1 and 3, in combination with the other claimed features.

In view of the aforementioned remarks and amendments, it is respectfully submitted that all pending claims are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for a telephone conference to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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